



Arnold B. Calmann
Direct Dial: (973) 645-4828
Email: abc@saiber.com

May 14, 2010

VIA ECF and FACSIMILE

Honorable Claire C. Cecchi, U.S.M.J.
United States District Court
Martin Luther King, Jr. Federal Building
And U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: Taro Pharmaceuticals North America, Inc. *et al.* v.
Synerx Pharma LLC *et al.*
Civil Action No. 09-03569 (JLL) (CCC)**

Dear Judge Cecchi:

Our firm, together with the firm of Venable LLP, represent Plaintiffs Taro Pharmaceuticals North America, Inc. and Taro Pharmaceuticals U.S.A. Inc. in this matter. We write in response to the May 12, 2010 letter from Karen Confoy, Esq, counsel to Defendants¹, with regard to the Joint Discovery Plan submitted on April 28, 2010, and Defendants' submission of an Amended Proposed Schedule.

As an initial matter, we note that Defendants' counsel failed to discuss its revised schedule with Plaintiffs' counsel prior to submitting its recent letter to Your Honor. Had Defendants' counsel had the foresight to discuss any proposed revisions with us, it is possible that the parties could have met and conferred in an effort to avoid burdening Your Honor with competing proposed schedules, or at the very least limiting the issues to be resolved. Regrettably, Defendants' unilateral submission compelled us to respond.

Accordingly, Plaintiffs respectfully request that Your Honor consider the enclosed proposed Amended Scheduling Order, which we believe reflects a compact and realistic

¹ Defendants Synerx Pharma, LLC, Karalex Pharma, LLC and DPT Laboratories, Ltd. are collectively referred to herein as "Defendants".

Honorable Claire C. Cecchi, U.S.M.J.
May 14, 2010
Page 2

timetable. Plaintiffs' attached revised schedule contains only minor changes to its initial proposed schedule to accommodate dates early in the schedule, but makes no changes to the latter stages of the case.

We thank the Court for its consideration and understanding in this matter and appreciate the Court considering our proposed schedule. Naturally, if the Court has any questions, we would be pleased to respond at the Court's convenience.

Respectfully submitted,

A handwritten signature in cursive script, reading "Arnold B. Calmann". The signature is written in dark ink and is positioned below the text "Respectfully submitted,".

Arnold B. Calmann

ABC/GLA/pkb
Enclosure

cc: All Counsel (w/enc., via e-mail)